

## Message Text

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PAGE 01 BERLIN 00810 030053Z  
ACTION DLOS-09

INFO OCT-01 EUR-12 IO-13 ISO-00 ACDA-12 AGRE-00 AID-05  
CEA-01 CEQ-01 CG-00 CIAE-00 COME-00 DODE-00  
DOTE-00 EB-08 EPA-01 SOE-02 DOE-11 FMC-01 TRSE-00  
H-01 INR-07 INT-05 JUSE-00 L-03 NSAE-00 NSC-05  
NSF-01 OES-07 OMB-01 PA-01 PM-05 PRS-01 SP-02  
SS-15 USIA-06 AF-10 ARA-10 EA-10 NEA-10 /177 W  
-----017655 031228Z /17

R 021621Z FEB 78  
FM AMEMBASSY BERLIN  
TO SECSTATE WASHDC 6640  
INFO USMISSION USUN NEW YORK

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E.O.11652: N/A  
TAGS: PLOS, GE  
SUBJECT: LOS: GDR PROPOSED TEXT ON RIGHTS OF  
GEOGRAPHICALLY DISADVANTAGED STATES

REF: BERLIN 00809

1. ON JANUARY 31 DR. GOERNER, DEPUTY HEAD  
OF THE LAW AND TREATY DIVISION OF THE GDR FOREIGN  
MINISTRY PROVIDED EMBOFF WITH THE FOLLOWING PROPOSED  
REVISION OF ARTICLE 70 (RIGHTS OF GEOGRAPHICALLY  
DISADVANTAGED STATES) OF THE INFORMAL COMPOSITE  
NEGOTIATING TEXT.

2. BEGIN TEXT.

(1) GEOGRAPHICALLY DISADVANTAGED STATES SHALL  
HAVE THE RIGHT TO PARTICIPATE ON AN EQUITABLE BASIS  
IN THE EXPLOITATION OF THE LIVING  
RESOURCES IN THE ECONOMIC ZONES OF OTHER STATES.

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PAGE 02 BERLIN 00810 030053Z

DEVELOPING GEOGRAPHICALLY DISADVANTAGED STATES MAY  
EXERCISE THE RIGHTS PROVIDED FOR IN THIS ARTICLE IN  
THE ECONOMIC ZONES OF OTHER STATES OF THE SAME REGION  
OR SUB-REGION. DEVELOPED GEOGRAPHICALLY DISADVANTAGED  
STATES MAY EXERCISE THE RIGHTS PROVIDED FOR IN THIS  
ARTICLE ONLY IN THE ECONOMIC ZONES OF THOSE DEVELOPED  
COASTAL STATES OFF WHOSE COASTS THEY HAVE HABITUALLY

FISHED.

(2) THE MODALITIES OF SUCH PARTICIPATION SHALL BE DETERMINED BY THE STATES CONCERNED THROUGH BILATERAL, SUBREGIONAL OR REGIONAL AGREEMENTS IN ACCORDANCE WITH THE PROVISIONS OF THIS ARTICLE, TAKING INTO ACCOUNT THE RELEVANT ECONOMIC AND GEOGRAPHIC CIRCUMSTANCES OF ALL THE STATES CONCERNED.

(3) THE RIGHTS TO PARTICIPATE REFERRED TO IN PARAGRAPHS 1 AND 2 OF THIS ARTICLE RELATE TO THE SURPLUS OF THE ALLOWABLE CATCH, PROVIDED THAT THE PARTICIPATION OF THE GEOGRAPHICALLY DISADVANTAGED STATES SHALL BE ON A PREFERENTIAL BASIS OVER THIRD STATES OTHER THAN LANDLOCKED STATES. IN THE EVENT OF THERE BEING NO SURPLUS OF LIVING RESOURCES IN A PARTICULAR ZONE, A DEVELOPING GEOGRAPHICALLY DISADVANTAGED STATE MAY NEVERTHELESS PARTICIPATE IN THE EXPLOITATION OF THE LIVING RESOURCES ON AN EQUITABLE BASIS, WHICH TAKES INTO ACCOUNT THE FOLLOWING FACTORS:

(A) THE NEED TO AVOID EFFECTS DETRIMENTAL TO THE LIVING RESOURCES OF THE ECONOMIC ZONE AS WELL AS TO THE ECONOMY OF ALL THE STATES CONCERNED;

(B) THE EXTENT TO WHICH OTHER GEOGRAPHICALLY DISADVANTAGED STATES AND LANDLOCKED STATES ARE EXERCISING LIMITED OFFICIAL USE

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PAGE 03 BERLIN 00810 030053Z

THEIR RIGHTS IN THE ZONE

AND

(C) THE EXTENT TO WHICH THE GEOGRAPHICALLY DISADVANTAGED STATE IS PARTICIPATING IN THE EXPLOITATION OF THE LIVING RESOURCES OF THE ECONOMIC ZONES OF OTHER COASTAL STATES.

(4) NOTHING IN THIS ARTICLE SHALL PRECLUDE ANY COASTAL STATE FROM GRANTING TO A GEOGRAPHICALLY DISADVANTAGED STATE MORE FAVORABLE TREATMENT THAN THAT PROVIDED FOR IN THIS ARTICLE.

(5) FOR THE PURPOSES OF THIS CONVENTION, A GEOGRAPHICALLY DISADVANTAGED STATE IS A COASTAL STATE

(A) WHICH, FOR GEOGRAPHIC REASONS, CANNOT CLAIM AN ECONOMIC ZONE;

OR

(B) WHOSE ECONOMIC ZONE IS LESS THAN 30 PERCENT  
OF THE AREA IT COULD HAVE CLAIMED IF IT WERE ABLE TO EXTEND  
THE LIMIT OF ITS ECONOMIC ZONE UP TO THE MAXIMUM BREADTH  
PERMITTED BY THIS CONVENTION.

N.B. PARAGRAPH 5 OF THIS ARTICLE SHOULD IN THE FINAL DRAFT  
CONVENTION APPEAR IN THE ARTICLE CONCERNING DEFINITIONS.  
END TEXT. BOLEN

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 jan 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** LANDLOCKED COUNTRIES, MEETINGS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 02 feb 1978  
**Decaption Date:** 01 jan 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 20 Mar 2014  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1978BERLIN00810  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
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**Litigation Codes:**  
**Litigation History:**  
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**Message ID:** 71776dcd-c288-dd11-92da-001cc4696bcc  
**Office:** ACTION DLOS  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 3  
**Previous Channel Indicators:** n/a  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** 78 BERLIN 809  
**Retention:** 0  
**Review Action:** RELEASED, APPROVED  
**Review Content Flags:**  
**Review Date:** 05 may 2005  
**Review Event:**  
**Review Exemptions:** n/a  
**Review Media Identifier:**  
**Review Release Date:** N/A  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**SAS ID:** 3435245  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** LOS: GDR PROPOSED TEXT ON RIGHTS OF GEOGRAPHICALLY DISADVANTAGED STATES  
**TAGS:** PLOS, GC, LOS  
**To:** STATE  
**Type:** TE  
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**Review Markings:**  
Sheryl P. Walter  
Declassified/Released  
US Department of State  
EO Systematic Review  
20 Mar 2014  
**Markings:** Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014